

## REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1, 4, 5, 6, and 11 are currently being amended.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-11 are now pending in this application.

The Office Action required corrected drawings designating Fig. 1 as "Prior Art." Applicant respectfully traverses the requirement and requests reconsideration. Fig. 1 is described in the specification as "prior work of the present inventor." Applicant submits that such a description is alone an insufficient basis to require a "prior art" legend on the drawing. Moreover, applicant notes that this application bears a filing date after November 29, 1999; hence, commonly assigned U.S. Patent No. 6,369,954 is excluded as prior art under 35 U.S.C. § 103(c).

Claim 5 stands objected to as improperly adding a limitation to a closed end claim (claim 4). In response, claim 4 has been amended to recite a "comprising" transitional term; claims 1 and 5 have been similarly amended.

Claim 6 stands objected to for an informality (a line number 30 found its way into the text of the claim). The claim has been amended to delete the errant numeral.

Claim 6 stands rejected under 35 U.S.C. § 112, 2<sup>d</sup> ¶ as lacking antecedent basis for two different recitations. As for the first recitation, applicant respectfully disagrees with the examiner about the liquids but, in an effort to advance prosecution, has amended the claim to make even more clear what was recited originally. There are two liquids required by the

claim. One of the liquids is called both “first” and “insulating” while the other is called both “second” and “conductive.” The claim has been amended by adding commas to make even more clear that “insulating” and “conductive” are, grammatically, parenthetical characteristics of the respective liquids. Claim 11 was likewise amended.

As for the second recitation, the claim has been amended to recite “a” second surface. Finally, claim 6 was also amended to recite “wherein” as more characteristic of U.S. practice.

Claims 1-11 stand provisionally rejected for obviousness-type double patenting over claims 1-8, 14, and 16 of co-pending application 09/937,508. Since this is a provisional rejection, applicant respectfully requests that this be deferred until there is an allowable claim in this application. cf. 37 C.F.R. 1.111(b).

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Accompanying this response is an information disclosure statement listing, inter alia, U.S. Patent No. 6,702,483 to Tsuboi et al.; as well as the references cited on its face; and applicant’s co-pending reissue application (of a patent maturing from an application to which this present application claims priority).

Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date March 23, 2006

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